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REMARKS

Claims 1-27 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Windross et al. (U.S. Patent No. 5,295,047) in view of Birdseye (U.S. Patent No. 2,135,480). Claims 13 and 26 stand rejected over the combination of Windross et al. and Birdseye, and further in view of Awai et al. (U.S. Patent No. 4,763,984). Applicants respectfully traverse these rejections for the reasons discussed below.

Windross et al. discloses a line-of-light illuminating device which includes a triangular lightpipe portion for transmitting the light along its length, and one or more segments of a cylindrical lens at one end to provide lateral emission of a collimated line of light.

Birdseye discloses a reflecting glow lamp (a gas discharge lamp) which can have a non-symmetrical cross-section that includes a trough-shaped portion. The trough-shaped portion has an exterior coating of metallic silver and a flattened transmitting face that may be clear or frosted. A possible configuration of the trough-shaped portion is substantially parabolic so that the lamp emits a large portion of its light in a concentrated beam of substantially parallel rays.

As noted by the Examiner, Windross et al. does not disclose a waveguide having a conic portion that directs internally-reflected light towards a first portion for lateral transmission out of the waveguide. For this, the Examiner relies on Birdseye which, in one embodiment, discloses a reflecting glow lamp having a parabolic reflector portion of its gas discharge tube. According to the Office Action, one of ordinary skill in the art would have been motivated to utilize the Birdseye parabolic reflector portion of its gas discharge lamp in place of the triangular section of the Windross et al. waveguide because the "parabolic portion 12 [of Birdseye] provides a concentrated beam of parallel rays" and this geometry "would have provided the same benefits in a solid waveguide." Applicants respectfully disagree for the following reasons.

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First, there has been no evidence presented that use of a parabolic portion of a waveguide provides "a concentrated beam of parallel rays." While it may do so in a discharge lamp if there is a concentrated discharge located at the focus of the parabolic reflector, the light traveling through a waveguide can be much more uniformly distributed throughout the cross-section of the waveguide with only a relatively small amount passing through the focus of the parabolic reflector. This feature of waveguides is specifically discussed in Applicants' specification at paragraph number 25. This may explain why Windross et al. utilize a separate cylindrical lens to obtain collimation of the light exiting the waveguide, in which case there would appear to be no benefit in using a parabolic reflector in place of the triangular one taught by Windross et al.

Second, even assuming it to be true that the geometry disclosed by Birdseye for its gas discharge tube would provide the same reflection benefits in a solid waveguide, the Examiner has nonetheless not provided any motivation or incentive as to why one of ordinary skill in the art would make such a modification of the Windross et al. device. Since Windross et al. utilize a cylindrical lens to collimate the light, it would appear that a parabolic reflector shape to the waveguide would not be necessary, and the Examiner has not provided any objective teaching or reasoning as to why one would substitute the parabolic shape for the triangular one when the Windross et al. device already provides the desired collimated light.

Accordingly, Applicants respectfully submit that no *prima facie* case of obviousness has been properly made in the Office Action, since there has not been a proper showing of motivation or incentive to combine the various features selected from these diverse references. Moreover, Applicants submit that no proper motivation exists.

Apart from the impropriety of the combination of references, claims 1 and 15 have been amended to more distinctly define the subject matter of those claims. In particular, claims 1 and 15 have been amended to specify that the first and second portions of the waveguide are constructed such that the light is diffusively transmitted out of the waveguide through the light-transmissive surface of the first portion. One embodiment of this shown in Fig. 4 showing the diffuse emission of light exiting the

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waveguide, and this is described in the associated text at paragraph number 24. Neither Windross et al. nor Birdseye suggest this feature in combination with the remaining elements of claims 1 and 15. Windross et al. in particular state that their waveguide produces a line of light and parallel rays for the four corners of this line of light are shown in its Fig. 1.

Neither Awai nor the other prior art of record make up for these deficiencies in Birdseye and Windross et al. Accordingly, independent claims 1 and 15 are believed to patentably define over the prior art. Claims 2-14 and 16-27 each ultimately depend from one of these two independent claims and should be allowable therewith.

Claims 28-31

Newly added claims 28 and 29 each call for an illuminating waveguide that includes, among other elements, one or more mounting features located proximate the intersection of the first and second portions of the light transmitting body, wherein the mounting feature(s) extend laterally away from the body.

Newly added claims 30 and 31, on the other hand, each call for an illuminating waveguide that includes, among other elements, one or more mounting features formed as a unitary portion of the body. In all cases, the mounting features can either extend the entire length of the body, as shown in the illustrated embodiments, or can be located at only specific spots along its length.

The cited prior art, including the Awai et al. patent, does teach an illuminating waveguide that includes one or more mounting features formed or located as defined in claims 28-31.

Conclusion

In view of the foregoing, Applicants respectfully submit that all claims patentably define over the prior art. Reconsideration is therefore requested.

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The Examiner is invited to telephone the undersigned if doing so would advance prosecution of this case.

The Commissioner is hereby authorized to charge a one-month extension of time, and the fees for the four extra claims and one extra independent claim, as well as charging any deficiencies in fees (or crediting any overpayment) associated with this communication to Deposit Account No. 06-0420.

Respectfully submitted,

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